

**JBC STAFF FISCAL ANALYSIS  
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING INVASION OF PRIVACY.

Prime Sponsors: Senator Hudak  
Representative Rice

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Phone: 303-866-2061  
Date Prepared: April 13, 2010

**Summary of Amendments Made to the Bill After the 04/09/10 Legislative Council Staff Revised Fiscal Note Was Prepared**

None.

**JBC Staff Concurrence with Legislative Council Staff Fiscal Note**

**Concurs**                       **Does Not Concur**                       **Updated Analysis**

**Amendments/Appropriation Status**

The bill requires but does not contain an appropriation clause. Staff has prepared amendment **J.001** (attached) to add a provision appropriating the following amounts for FY 2010-11 through FY 2012-13 based on the inmate bed impact identified on page three of the Legislative Council Staff Revised Fiscal Note dated April 9, 2010:

<b>Amendment J.001 Appropriations/Transfers</b>				
<b>Fiscal Year</b>	<b>Transfer From the General Fund to Capital Construction Fund</b>	<b>Appropriation From the Capital Construction Fund to the Corrections Expansion Reserve Fund</b>	<b>Appropriation From the General Fund to the Department of Corrections</b>	<b>Total General Fund Appropriation/Transfer</b>
FY 2010-11	\$83,861	\$83,861	\$0	\$83,861
FY 2011-12	0	0	28,014	28,014
FY 2012-13	0	0	4,482	4,482
FY 2013-14	0	0	0	0
FY 2014-15	0	0	0	0
<b>Total</b>	<b>\$83,861</b>	<b>\$83,861</b>	<b>\$32,496</b>	<b>\$116,357</b>

**Bill Sponsor Amendments**

Sponsor amendment **L.008** makes the portions of the bill related to making invasion of privacy for sexual gratification a felony effective July 1, 2012, thereby delaying the fiscal impact of the bill until FY 2012-13. Staff has prepared amendment **J.002** (attached) to add a provision appropriating the following amounts for FY 2012-13 through FY 2014-15 based on the delayed effective date:

<b>Amendment J.002 Appropriations/Transfers</b>				
<b>Fiscal Year</b>	<b>Transfer From the General Fund to Capital Construction Fund</b>	<b>Appropriation From the Capital Construction Fund to the Corrections Expansion Reserve Fund</b>	<b>Appropriation From the General Fund to the Department of Corrections</b>	<b>Total General Fund Appropriation/Transfer</b>
FY 2010-11	\$0	\$0	\$0	\$0
FY 2011-12	0	0	0	0
FY 2012-13	83,861	83,861	0	83,861
FY 2013-14	0	0	28,014	28,014
FY 2014-15	0	0	4,482	4,482
<b>Total</b>	<b>\$83,861</b>	<b>\$83,861</b>	<b>\$32,496</b>	<b>\$116,357</b>

**If L.008 is adopted, J.002 should be adopted, and J.001 should not be adopted.**

**Points to Consider**

1. The Joint Budget Committee has introduced a balanced budget package for FY 2010-11 based on the March 2010 Legislative Council Staff forecast. This bill requires the transfer of \$83,861 from the General Fund to the Capital Construction Fund in FY 2010-11, thereby decreasing the fiscal year-end General Fund reserve by \$83,861. If L.008 is adopted, this transfer would occur in FY 2012-13.
2. This bill requires \$32,496 in statutory appropriations from the General Fund to the Department of Corrections from FY 2011-12 through FY 2012-13, thereby reducing the amount of funds available for other purposes. If L.008 is adopted, these appropriations will be made in FY 2013-14 and FY 2014-15.